

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ELSIE PAUL,

Plaintiff,

-against-

ERIC K. SHINSEKI,

Defendant.

ORDER
09 CV 1591 (CBA)(LB)

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BLOOM, United States Magistrate Judge:

By letter dated November 11, 2009, plaintiff states that she may need additional time to submit her opposition to defendant's motion to dismiss, which is due on December 3, 2009. It is not clear whether plaintiff is requesting additional time to submit her motion. If plaintiff needs more time to oppose defendant's motion, she shall write to the Court to request more time by December 3, 2009.

Plaintiff also requests that the Court "review the motion to assign a counsel in this case." Although plaintiff states that "it is traumatizing for me to work on this case," and the Court understands it is difficult to represent oneself, this is not the standard by which the Court determines whether it should request *pro bono* counsel. The Court previously explained to plaintiff that it must first consider whether plaintiff's claim is likely to be of substance, and that if the claim meets this threshold requirement, then it considers other criteria. See Document 15. At this early stage of the case, the Court cannot determine that plaintiff's claim is likely to be of substance. Moreover, even if plaintiff finds counsel, prosecuting a case can still be difficult. Accordingly, plaintiff's second motion for reconsideration of her request for *pro bono* counsel is denied.¹

SO ORDERED.

/S/

LOIS BLOOM

United States Magistrate Judge

Dated: November 19, 2009
Brooklyn, New York

¹ On October 21, 2009, the Court denied plaintiff's motion for reconsideration of her request for *pro bono* counsel. Document 15.